

HOUSE BILL REPORT

SHB 1829

As Amended by the Senate

Title: An act relating to creating an Indian education division in the office of the superintendent of public instruction.

Brief Description: Creating an office of Native education within the office of the superintendent of public instruction.

Sponsors: House Committee on Education (originally sponsored by Representatives Billig, Santos, Haigh, Probst, Sells, Kenney, Reykdal, Maxwell, Stanford, Morris, Hasegawa, Ryu, McCoy, Hunt, Moscoso, Hope, Appleton and Ormsby).

Brief History:

Committee Activity:

Education: 2/11/11, 2/15/11 [DPS].

Floor Activity:

Passed House: 3/2/11, 74-23.

Senate Amended.

Passed Senate: 4/7/11, 36-12.

Brief Summary of Substitute Bill

- Creates an Indian Education Division, to be known as the Office of Native Education (Office), within the Office of Superintendent of Public Instruction.
- Requires the Superintendent of Public Instruction to appoint an individual to be responsible for the oversight and activities of the Office.
- Spells out various duties and responsibilities of the Office.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 18 members: Representatives Santos, Chair; Lytton, Vice Chair; Dammeier, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Ahern, Angel, Billig, Dahlquist, Fagan, Finn, Haigh, Hunt, Ladenburg, Lias, Maxwell, McCoy, Probst and Wilcox.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass. Signed by 3 members: Representatives Hargrove, Klippert and Kretz.

Staff: Cece Clynch (786-7195).

Background:

Although not required by statute, for over 50 years there has been an Indian Education Office at the Office of Superintendent of Public Instruction (OSPI). The mission of the Indian Education Office is to:

- provide leadership, technical assistance, and advocacy to promote academic success for all students; and
- encourage, promote, and develop strategies to infuse the teaching of Native history, culture, language, and government in Washington's schools.

The Indian Education Office is staffed by two employees; one is a program supervisor and the other is an instructional program specialist.

In September 2010 the Indian Education Office launched a web-based tribal sovereignty curriculum. Prior to its official launch, it was pilot tested for two years in 14 schools throughout the state. It is locally based so that student learning can be connected with tribes in the local area. It is also free, for the most part.

Summary of Substitute Bill:

An Indian Education Division, to be known as the Office of Native Education (Office), is created within the OSPI. The Superintendent of Public Instruction (Superintendent) must appoint an individual to be responsible for the Office.

To the extent state funds are available, with additional support from federal and local funds where authorized by law, the Office must:

- provide assistance to school districts in meeting the educational needs of American Indian and Alaska Native students;
- facilitate the development and implementation of curricula and instructional materials in native languages, culture and history, and the concept of tribal sovereignty;
- provide assistance to districts in the acquisition of funding to develop curricula and instructional materials in conjunction with Native language practitioners and tribal elders;
- coordinate technical assistance for public schools that serve American Indian and Alaska Native students;
- seek funds to develop and implement various support services for the purposes of increasing the number of American Indian and Alaska Native teachers and principals, and providing continued professional development;
- facilitate the inclusion of Native language programs in school districts' curricula; and
- work with all relevant agencies and committees to highlight the need for accurate, useful data that is appropriately disaggregated.

The Office also has an obligation to report to the Governor, the Legislature, and the Governor's Office of Indian Affairs on an annual basis, beginning in December 2012.

A Native Education Public-Private Partnership Account (Account) is created in the custody of the State Treasurer. The purpose of the Account is to support the activities of the Office. State funds, federal funds, gifts, and grants from the private sector or foundations must be deposited into the Account. Only the Superintendent or his or her designee may authorize expenditures from the Account. The Account is subject to allotment procedures but an appropriation is not required for expenditures.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment provides that the Office shall be created to the extent funds are available.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The current office at the OSPI is vitally important to meeting the needs of Native and Indian students. Putting the Office into statute will help shine a light on the needs of these students. The Spokane School District has the largest number of Native students. The Office is not just important to particular students but to all students by encouraging and promoting the teaching of Native language and culture to all. The duties and responsibilities of the Office contemplated by this bill are similar to the duties and responsibilities that the current office is already carrying out. This is important, and long overdue. Washington must honor the treaties, which have tenets in them which address education. Denny Hurtado has spearheaded efforts to develop vital curriculum regarding the tribes, culture, and language. It should have been done a long time ago and, if it had such work, could have prevented many misunderstandings. This will fulfill Washington's obligations. There are 46 Title VI programs in Washington schools. There are 29 tribes with tribal education authorities. This kind of leadership is needed at the OSPI. The graduation rates for American Indian and Native children are not good. It is important to support this government to government effort. This move makes a commitment toward a brighter and better life. Education is sacred work. This is important for all students. With the changes, the Office will be able to use federal funds that are available and the fiscal note will be considerably reduced to around \$10,000.

(Opposed) None.

Persons Testifying: Representative Billig, prime sponsor; George Adam, Nooksack Tribe; Mary Wilber, Bellevue, Lake Washington, and Northshore School Districts; Miguel Perez-Gibson, Colville Tribes; and Shawn Lewis, Office of Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying: None.